

DEC 24 2014

14 CV 10116
CIVIL COVER SHEET

JS 44C/SDNY
REV. 4/2014

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Phoenix Light SF Limited, et al.

DEFENDANTS
U.S. Bank National Association, and Bank of America, NA

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Wollmuth Maher & Deutsch LLP
500 Fifth Ave
New York, NY 10110
(See attached list of additional attorneys)

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

15 U.S.C. § 77aaa et seq., violation of the Trust Indenture Act of 1939 (the "TIA"); New York Real Property Law § 124 et seq.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 825 DRUG RELATED	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> REAPPORTMENT
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 680 OTHER	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL			<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> OVERPAYMENT &	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> INJURY PRODUCT			<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> ENFORCEMENT	<input type="checkbox"/> EMPLOYERS'	<input type="checkbox"/> LIABILITY			<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> OF JUDGMENT	<input type="checkbox"/> LIABILITY	PERSONAL PROPERTY		PROPERTY RIGHTS	<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> 370 OTHER FRAUD		<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> ENCED & CORRUPT
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 371 TRUTH IN LENDING		<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> ORGANIZATION ACT
<input type="checkbox"/> DEFAULTED	<input type="checkbox"/> LIABILITY			<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> (RICO)
<input type="checkbox"/> STUDENT LOANS	<input type="checkbox"/> 350 MOTOR VEHICLE				<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> (EXCL VETERANS)	<input type="checkbox"/> 355 MOTOR VEHICLE				<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 380 OTHER PERSONAL	LABOR	SOCIAL SECURITY	<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> OVERPAYMENT	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 861 HIA (1395ff)	<input checked="" type="checkbox"/> 890 OTHER STATUTORY
<input type="checkbox"/> OF VETERANS'	<input type="checkbox"/> INJURY	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> STANDARDS ACT	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> ACTIONS
<input type="checkbox"/> BENEFITS	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 720 LABOR/MGMT	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 891 AGRICULTURAL ACTS
<input type="checkbox"/> 160 STOCKHOLDERS	<input type="checkbox"/> MED MALPRACTICE	PRISONER PETITIONS	<input type="checkbox"/> RELATIONS	<input type="checkbox"/> 864 SSID TITLE XVI	
<input type="checkbox"/> SUITS		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 865 RSI (405(g))	
<input type="checkbox"/> 190 OTHER	ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 751 FAMILY MEDICAL		
<input type="checkbox"/> CONTRACT	CIVIL RIGHTS	<input type="checkbox"/> VACATE SENTENCE	<input type="checkbox"/> LEAVE ACT (FMLA)	FEDERAL TAX SUITS	
<input type="checkbox"/> 195 CONTRACT	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 28 USC 2255	<input type="checkbox"/> 790 OTHER LABOR	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	<input type="checkbox"/> 893 ENVIRONMENTAL
<input type="checkbox"/> PRODUCT	<input type="checkbox"/> (Non-Prisoner)	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> LITIGATION	<input type="checkbox"/> Defendant)	<input type="checkbox"/> MATTERS
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> FREEDOM OF
	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> SECURITY ACT	<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> INFORMATION ACT
	<input type="checkbox"/> 443 HOUSING/	PRISONER CIVIL RIGHTS	IMMIGRATION		<input type="checkbox"/> 896 ARBITRATION
REAL PROPERTY	<input type="checkbox"/> ACCOMMODATIONS	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION		<input type="checkbox"/> 899 ADMINISTRATIVE
<input type="checkbox"/> 210 LAND	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> APPLICATION		<input type="checkbox"/> PROCEDURE ACT/REVIEW OR
<input type="checkbox"/> CONDEMNATION	<input type="checkbox"/> DISABILITIES -	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 465 OTHER IMMIGRATION		<input type="checkbox"/> APPEAL OF AGENCY DECISION
<input type="checkbox"/> FORECLOSURE	<input type="checkbox"/> EMPLOYMENT	<input type="checkbox"/> CONDITIONS OF CONFINEMENT	<input type="checkbox"/> ACTIONS		
<input type="checkbox"/> 220 RENT LEASE &	<input type="checkbox"/> 446 AMERICANS WITH				<input type="checkbox"/> 950 CONSTITUTIONALITY OF
<input type="checkbox"/> 230 EJECTMENT	<input type="checkbox"/> DISABILITIES -OTHER				<input type="checkbox"/> STATE STATUTES
<input type="checkbox"/> TORTS TO LAND	<input type="checkbox"/> 448 EDUCATION				
<input type="checkbox"/> 245 TORT PRODUCT					
<input type="checkbox"/> 245 LIABILITY					
<input type="checkbox"/> 290 ALL OTHER					
<input type="checkbox"/> REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE Hon. Katherine B. Forrest DOCKET NUMBER 12-cv-2865

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

- ORIGIN**
- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

- BASIS OF JURISDICTION**
- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] DEF []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] []
CITIZEN OF ANOTHER STATE	[] []	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] []	FOREIGN NATION	[] []

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)
See attached list.

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)
U.S. Bank National Association
425 Walnut Street, Cincinnati, OH 45202

Bank of America, NA
100 North Tryon St., Charlotte, NC 28255

DEFENDANT(S) ADDRESS UNKNOWN
REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 12/24/2014 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. 07 Yr. 2007)

Attorney Bar Code # SF0803

RECEIPT #



Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Appendix to Summons and Civil Cover Sheet

Attorneys for Plaintiffs

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Appendix to Civil Cover Sheet – List of Plaintiffs and Addresses

Blue Heron Funding VI Ltd.
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Grand Cayman KY1-1103
Cayman Islands
C/o: RHSW (Cayman) Limited

Blue Heron Funding VII Ltd.
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Windward1, Regatta Office Park
Grand Cayman KY1-1103
Cayman Islands
C/o: RHSW (Cayman) Limited

Kleros Preferred Funding V PLC
c/o Wilmington Trust SP Services (Dublin) Limited
1st Floor 7 Exchange pl IFSC Dublin 1 Co.
Dublin Ireland

Phoenix Light SF Limited
c/o Wilmington Trust SP Services (Dublin) Limited
1st Floor 7 Exchange pl IFSC Dublin 1 Co.
Dublin Ireland

Silver Elms CDO PLC
c/o Wilmington Trust SP Services (Dublin) Limited
1st Floor 7 Exchange pl IFSC Dublin 1 Co.
Dublin Ireland

Silver Elms II CDO PLC
c/o Wilmington Trust SP Services (Dublin) Limited
1st Floor 7 Exchange pl IFSC Dublin 1 Co.
Dublin Ireland